

Application No. : 10/038,719
Applicant : Creamer, *et al.*
Filed : January 3, 2002
TC/A.U. : 2145
Examiner : Swearingen, Jeffrey R.
Docket No. : BOC9-2000-0061 (196)

Confirmation No. : 8949

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Date:

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Gregory A. Nelson, Registration No. 30,577

Brian K. Buchheit, Registration No. 52,667

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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Patent Number (Optional)
BOCS-2000-0031 (185)

In re Application of: CREAMER, et al.

Application No.: 10/038,719

Filed: January 3, 2002

For: INSTANT MESSAGING WITH VOICE CONFERENCE FEATURE

The owner, International Business Machines Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 08/010,270, filed on July 18, 2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is voluntarily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 52,697



Signature

June 21, 2005

Date

BRIAN K. BUCHHEIT

Typed or printed name

(551) 653-5000

Telephone Number

- ☒ Terminal disclaimer for under 37 CFR 1.20(d) is included.

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)
BOC9-2600-0031 (153)

In re Application of: **CREAMER, et al.**

Application No.: **10/039,719**

Filed: **January 3, 2002**

For: **INSTANT MESSAGING WITH VOICE CONFERENCE FEATURE**

The owner, Inter-Tel Business Systems Corp. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on the instant application which would extend beyond June 12, 2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not elect the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is adversely determined in whole or terminally determined under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is rescinded, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 52687



Signature

June 21, 2005

Date

BRIAN K. BUCHHEIT
Typed or printed name

(581) 853-6000

Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Patent Number (Optional)
8000-2000-0031 (183)

In re Application of: **CREAMER, et al.**
Application No.: 10/038,719
Filed: January 3, 2002
For: **INSTANT MESSAGING WITH VOICE CONFERENCE FEATURE**

The owner, International Business Machines Corp. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/810,271 filed on July 18, 2001, so such term is defined in 35 U.S.C. 154 and 173, and so the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "so the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent granted on the pending reference application, or any part thereof, is found invalid by a court of competent jurisdiction, is substantially disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims covered by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 52,667


Signature
Date June 21, 2005
BRIAN K. BUCHHEIT
Typed or printed name
(581) 653-6000
Telephone Number

☒ Terminal disclaimer for under 37 CFR 1.20(d) is included.

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